IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
Civil Action No.: 1:10-cv-159

SOCIEDAD ESPANOLA DE ELECTROMEDICINA Y CALIDAD, S.A. and SEDECAL USA, INC.	)	
Plaintiffs,	)	**COMPLAINT**
v.	)	
BLUE RIDGE X-RAY COMPANY, INC. and DRGEM USA, Inc.	)	
Defendants.	)	

Plaintiffs SOCIEDAD ESPANOLA DE ELECTROMEDICINA Y CALIDAD, S.A. and SEDECAL USA, INC., by their attorneys, for their complaint against Defendants BLUE RIDGE X-RAY COMPANY, INC. AND DRGEM USA INC., allege as follows:

NATURE OF ACTION

1. This action is for infringement of United States Patent No. 6,642,829 ("the '829 Patent") under the patent laws of the United States, 35 U.S.C § 1 *et seq*.

PARTIES

2. Plaintiff, Sociedad Espanola De Electromedicina Y Calidad, S.A. (hereinafter "Sedecal Spain") is a Spanish corporation and has a principal place of business at C/Pelaya, 9-13, Pol. Ind., Rio de Janeiro, 28110 Algete, Madrid, Spain.

3. Plaintiff, Sedecal USA, Inc. (hereinafter "Sedecal USA") is a corporation duly organized and existing under the laws of the State of Illinois and has its principal place of

business at 2920 North Arlington Heights Road, Illinois, 60004. Sedecal USA is a business subsidiary of Sedecal Spain, collectively "SEDECAL."

4. Upon information and belief, Defendant, Blue Ridge X-Ray Company (hereinafter "BLUE RIDGE"), is a corporation duly organized and existing under the laws of the State of North Carolina and has its principal place of business at 120 Vista Blvd, Arden, North Carolina 28704.

5. Upon information and belief, Defendant, DRGEM USA, Inc., (hereinafter "DRGEM"), is a corporation organized under the laws of the State of Florida and presently has its principal place of business at 7018 NW 50th Terrace, Gainesville, Florida 32653. Upon information and belief, DRGEM is a business subsidiary or distributorship business unit of its parent corporation, DGREM Corp., of South Korea, having a principal place of business at 7th Floor, Dongil Techno-Town 1st, 826 Guro-dong, Guro-gu, Seoul, Korea.

JURISDICTION AND VENUE

6. This action is for patent infringement arising under the patent laws of the United States, 35 U.S.C. § 1 *et seq*.

7. Subject matter jurisdiction is conferred on this Court pursuant to 28 U.S.C. §§ 1331, 1332, and/or 1338(a).

8. Personal jurisdiction over Defendants BLUE RIDGE and DRGEM is proper, as both BLUE RIDGE and DRGEM manufacture, import, advertise and/or sell products, including the products accused of infringement herein, in United States commerce and within this State and District, and BLUE RIDGE and DRGEM have committed one or more of the acts complained of herein within the United States and within this State and District.

9. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391 and 1400(b).

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 6,642,829

10. On November 4, 2003, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 6,642,829 ("the '829 Patent") entitled "High-Voltage Transformer" to Ángel Díaz Carmena.

11. SEDECAL is the sole owner, by assignment, of the entire right, title and interest in and to the '829 Patent, including all rights to recover for all infringements thereof. The '829 Patent is still in full force and effect and is presumed valid under the Patent laws. A copy of the '829 patent is attached as EXHIBIT A.

12. On information and belief, BLUE RIDGE has infringed, and continues to infringe, one or more claim(s) of the '829 Patent by making, using, offering to sell, selling and/or importing for sale in the United States, without license or authority, products which are covered by one or more claim(s) of the '829 Patent. A photograph depicting such products offered and sold by BLUE RIDGE is provided as EXHIBIT B. On information and belief, EXHIBIT B is a photograph of a product that was actually sold and/or distributed by BLUE RIDGE.

13. On information and belief, DRGEM has infringed, and continues to infringe, one or more claims of the '829 Patent by making, using, offering to sell, selling and/or importing for sale in the United States, without license or authority, products which are covered by one or more claim(s) of the '829 Patent, including infringing products sold to BLUE RIDGE.

14. SEDECAL has been, and is likely to continue to be, damaged and irreparably harmed by BLUE RIDGE's and DRGEM's infringement.

15. Furthermore, BLUE RIDGE's and DRGEM's acts of infringement have been without express or implied license by SEDECAL, are in violation of SEDECAL's rights, and will continue unless enjoined by this Court.

16. On information and belief, BLUE RIDGE advertises SEDECAL's products on its web site, and BLUE RIDGE sells the competing products from DRGEM which infringe SEDECAL's '829 Patent.

17. On information and belief, the infringement by BLUE RIDGE and DRGEM has been in willful disregard of SEDECAL's '829 Patent, as such infringing products are substantial copies of SEDECAL's patented products.

18. This is an exceptional case because of such willful infringement.

19. SEDECAL has been and will continue to be irreparably harmed by BLUE RIDGE's and DRGEM's infringement of the '829 Patent.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, SEDECAL, requests the following relief:

A. For a judgment that one or more of the '829 Patent claims have been infringed by BLUE RIDGE;

B. For a judgment that one or more of the '829 Patent claims have been infringed by DRGEM;

C. For an injunction against BLUE RIDGE, its officers, agents, servants, employees, attorneys, successors, and assigns, and all others in active concert of participation with BLUE RIDGE against further one or more claims of the '829 Patent, pursuant to 35 U.S.C. § 283;

D. For an injunction against DRGEM, its officers, agents, servants, employees, attorneys, successors, and assigns, and all others in active concert of participation with DRGEM against further infringing one or more claims of the ‘829 Patent, pursuant to 35 U.S.C. § 283;

E. That this Court award damages sustained by SEDECAL for the infringement of the ‘829 Patent, together with prejudgment and post-judgment interest;

F. For an assessment of costs against BLUE RIDGE and DRGEM;

G. That this Court assess treble damages against BLUE RIDGE and DRGEM due to their deliberate and willful patent infringement, pursuant to 35 U.S.C. § 284;

H. That SEDECAL be awarded its costs, disbursements, and attorney fees for this action, including fees for finding of an exceptional case pursuant to 35 U.S.C. § 285;

I. That SEDECAL hereby requests trial by jury in this matter for all issues so triable; and

J. That SEDECAL be awarded such further relief, including preliminary and permanent relief, as the Court may deem just and appropriate.

This the 30th day of July, 2010

s/ Larry McDevitt
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